

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

ANGEL DAVID MORALES VALLELLANES,
Plaintiff,

v.

**JOHN POTTER, UNITED STATES
POSTMASTER GENERAL, ET ALS.,**
Defendants.

CIVIL NO. 97-2459 (GAG)(CVR)

**DAMAGES BASED ON RETALIATION
AND DISCRIMINATION; PROHIBITED
PERSONNEL PRACTICES; UNFAIR
LABOR PRACTICES; BREACH OF
COLLECTIVE BARGAINING
AGREEMENT**

**TRIAL BY JURY IS HEREBY
REQUESTED**

MOTION TO INCLUDE ADDITIONAL

JURY INSTRUCTIONS FOR PLAINTIFF

TO THE HONORABLE COURT:

COMES NOW, Plaintiff, Angel David Morales-Vallellanes, through the undersigned attorneys, very respectfully inform this Honorable Court:

1. The appearing party has become aware of a series of court decisions after the Appeals Court decision in the above captioned case that will clarify issues regarding: the effect of beneficiary payments (OWCP payments) on back pay; the broader definition of a protected activity; adverse action and adverse action under reassignment of job duties.
2. In accordance to the above Plaintiff herewith includes amended jury instructions 4, 5, 19, and two (2) additional jury instructions 22 and 23, to be considered by this Honorable Court.

WHEREFORE, it is respectfully requested from this Honorable Court to include the suggested jury instructions.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that on December 17, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: **Fidel A. Sevillano-Del Río, Esq.**, Assistant U.S. Attorney, Federico Degetau Federal Build., 150 Carlos Chardón Av., Hato Rey, Puerto Rico 00918.

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